



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

IN THE MATTER OF:

THE PROHIBITION OF
BROADCASTING, RECORDING OR
PHOTOGRAPHING IN THE
COURTHOUSE

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GENERAL ORDER NO. 350

WHEREAS, application of Rule 28, covering the subject of broadcasting, recording, or photographing, is not clear in its application to the various courthouses of the Central District of California, except that it clearly applies to the United States Courthouse, 312 North Spring Street, Los Angeles, California; and

WHEREAS, the court finds that there is an urgent requirement for a rule clarifying and regulating such conduct at all said courthouses,

IT IS HEREBY ORDERED:

1. PROHIBITION OF BROADCASTING, TELEVISION, PHOTOGRAPHY

Between 7:00 o'clock a.m. and 7:00 o'clock p.m., Monday through Friday, and at all other times when the court is in session, the use of any forms, means or manner of radio or television broadcasting and the taking or making of

photographs, motion pictures, video or sound recordings is prohibited in the areas specified below:

1.1 ROYBAL BUILDING - The following areas of the Roybal Federal Building and United States Courthouse, 255 East Temple Street, Los Angeles, California:

- (a) The garage;
- (b) The Temple Street and Terrace floors, except the area designated as a Press Room;
- (c) The fifth through eighth and eleventh floors.

1.2 SANTA ANA COURTHOUSE - The following areas of the United States Courthouse, 751 W. Santa Ana Blvd., Santa Ana, California:

- (a) The garage and parking lot; and
- (b) The entire Courthouse, except those areas occupied by U.S. Attorney and Federal Defender.

1.3 SANTA ANA FEDERAL BUILDING -

- (a) The garage and parking area; and
- (b) The ninth floor.

2. EXCEPTIONS AND ENFORCEMENT - The exceptions set forth in Local Rules 28.2 through 28.5 shall apply to this General Order. This General Order shall be enforced as provided in Local Rules 28.6 and 28.7

3. SUNSET PROVISION - This General Order shall remain in effect until June 30, 1995, unless sooner repealed or superseded by a Local Rule.

Dated: DEC 29 1994

(c) Respondent shall file an answer to the petition with accompanying points and authorities within thirty (30) days from the date of service of the petition. Respondent shall include in the answer the matters defined in Rule 5 of the Rules Governing 2254 Cases and shall attach any other relevant documents not already filed.

(d) Within thirty (30) days after respondent has filed the answer, petitioner may file a traverse.

(e) No discovery shall be had without leave of the court.

(f) Any request for an evidentiary hearing by either party shall be made within fifteen (15) days from the filing of the traverse, or within fifteen (15) days from the expiration of the time for filing the traverse. The request shall include a specification of which factual issues require a hearing and a summary of what evidence petitioner proposes to offer. Any opposition to the request for an evidentiary hearing shall be made within fifteen (15) days from the filing of the request. The court will then determine whether an evidentiary hearing will be held.

26.8.9 EVIDENTIARY HEARING -

If an evidentiary hearing is held, the court may order the preparation of a transcript of the hearing, which is to be immediately provided to petitioner and respondent for use in briefing and argument. Upon the preparation of the transcript, the court may establish a reasonable schedule for further briefing and argument of the issues considered at the hearing.

26.8.10 RULINGS - The court's rulings may be in the form of a written opinion which will be filed, or in the form of an oral opinion on the record in open court, which shall be promptly transcribed and filed.

The Clerk of the Court will immediately notify the warden of San Quentin Prison and the California Attorney General whenever relief is granted on a petition.

The Clerk of the Court will immediately notify the Clerk of the United States Court of Appeals for the Ninth Circuit by telephone of

(i) the issuance of a final order denying or dismissing a petition without a certificate of probable cause for appeal, or (ii) the denial of a stay of execution.

When a notice of appeal is filed, the Clerk of the Court will transmit the available records to the Court of Appeals immediately.

RULE 27 PENALTIES

27.1 PENALTY - VIOLATION OF RULE - The violation of or failure to conform to any of these Local Rules, the F.R.Civ.P., F.R.Crim.P. or F.R.App.P., shall subject the offending party or counsel to such penalties, including monetary sanctions and/or the imposition of costs and attorneys' fees to opposing counsel, as the Court may deem appropriate under the circumstances.

27.2 PENALTY - FAILURE TO APPEAR OR PREPARE - Failure of counsel for any party to take any of the following steps may be deemed an abandonment or failure to prosecute or defend diligently by the defaulting party:

(a) Complete the necessary preparation for pre-trial;

(b) Appear at pre-trial conference;

(c) Be prepared for trial on the date set; or

(d) Appear at any hearing where service of notice of the hearing has been given or waived.

Judgment may be entered against the defaulting party either with respect to a specific issue or on the entire case.

RULE 28 CONDUCT IN COURTROOM AND ENVIRONS

28.1 PROHIBITION OF BROADCASTING, TELEVISION, PHOTOGRAPHY - Between 7:00 o'clock a.m. and 7:00 o'clock p.m., Monday through Friday, and at all other times when the Court is in session, the use of any forms, means or manner of radio or television broadcasting and the taking or making of photographs, motion pictures, video or sound recordings is prohibited in the following areas of the United

States Courthouse, 312 North Spring Street, Los Angeles, California:

- (a) The garage;
- (b) The entire Main Street, Spring street and second floors, except the area designated as the Press Room;
- (c) All hallways and public areas leading to, and the hearing rooms, witness rooms, conference rooms or chambers assigned to, a United States Magistrate;
- (d) All floors where chambers and/or courtrooms are provided for a United States District Judge;
- (e) The hallways and public areas leading to, and the office of the Probation Officer;
- (f) The hallways and public areas leading to, and the hearing, waiting or witness rooms utilized by, a Grand Jury; and
- (g) The hallways and public areas leading to, and the assembly or deliberation room of, a petit jury.

28.2 OFFICIAL RECORDINGS-EXCEPTION - Local Rule 28.1 shall not prohibit recordings made by official court reporters or United State Magistrates in the performance of their official duties. No other use may be made of an official recording of a court proceeding without an express, written order of the Court.

28.3 CEREMONIAL FUNCTIONS - EXCEPTION - Local Rule 28.1 shall not prohibit the taking of photographs, when specifically authorized, at ceremonial functions or non-judicial functions:

- (a) In the chambers of a judge of this Court;
- (b) In the chambers of a magistrate of this Court;
- (c) In the office of the United States Marshal;
- (d) In the office of the Building Manager;
- (e) In the office of the United States Attorney; or
- (f) In the office of the Federal Public Defender.

28.4 VIDEOTAPE - Local Rule 28.1 does not prohibit the videotaping or other electronic recording of depositions for trial purposes, nor the preparation and perpetuation of testimony taken by or under the direction of a judge or magsitrate of this Court. Any equipment taken into or through the areas enumerated in Local Rule 28.1 is subject to such security regulations as may be adopted from time to time by the Court.

28.5 POSSESSION OF EQUIPMENT

28.5.1 IN GENERAL - Video or sound recording, photographic, radio or television broadcasting equipment shall not be possessed in the courthouse unless expressly authorized by a judge or magistrate of this Court, except as provided in Local Rules 28.5.2, 28.5.3 and 28.5.4.

28.5.2 DICTATING EQUIPMENT - ATTORNEYS - Attorneys admitted to practice before the Court are authorized to possess dictating equipment in the courthouse. Any dictating equipment possessed by an attorney in the courthouse shall be used only in the Attorney's Lounge, a witness room, the library, or the Clerk's Office.

28.5.3 DICTATING EQUIPMENT - MEDIA - Members of the print or electronic media, i.e., newspaper, magazine, radio or television, are authorized to possess dictating or audio tape recording equipment in the courthouse. Any dictating or audio tape recording equipment possessed by a bona fide member of the media in the courthouse shall be used only in the press room, the Attorney's Lounge, a witness room, or the Clerk's Office.

28.5.4 PRESS CONFERENCES - U.S. ATTORNEY - The provisions of this rule shall not apply to press conferences or public announcements held by the U.S. Attorney, who will provide the Court Security Office advance written notification of such press conferences or public announcements. A Court Security Officer will escort communications media personnel and their equipment to and from the site of such press conference or public announcement.

28.6 ENFORCEMENT OF RULE - The United States Marshal, the General Service Administration police, and the security force contracted for service in the United States Courthouse shall enforce the provisions of Local Rule 28.1.

28.7 VIOLATION OF RULE - CONTEMPT - A violation of Local Rule 28.1 shall constitute contempt of Court. All proceedings for such contempt shall be brought before the Criminal Duty Judge.

RULE 29 CLERK'S OFFICE - RECORDS AND FILES - DISPOSITION OF EXHIBITS - CIVIL CASES

29.1 CLERK'S OFFICE - REMOVAL OF RECORDS AND FILES - No records or objects belonging to the files of the Court may be taken from the office or custody of the Clerk except upon written order of the Court.

29.1.1 RECEIPT FOR REMOVAL - Any person removing records pursuant to Local Rule 29.1 shall give the Clerk a descriptive receipt containing:

(a) The name, address and telephone number of the person removing the records or objects;

(b) An itemized description of the records or objects removed,

(c) The date of removal;

(d) The place in which the records or objects will be used or kept; and

(e) The estimated date of return of the records or objects to the Clerk.

29.1.2 CLERK'S OFFICE - REMOVAL OF RECORDS AND FILES - COURT OFFICERS - The provisions of Rule 29.1 shall not apply to a judge, master, examiner employed by the United States, United States Magistrate, court reporter, or court clerk requiring records or objects in the exercise of their official duty. Any court officer removing records or objects shall provide the Clerk with a receipt indicating the information required in Rule 29.1.1.

29.2 CLERK'S OFFICE - DISPOSITION OF EXHIBITS CIVIL CASES - All models,

diagrams, documents or other exhibits lodged with the Clerk or admitted into evidence or marked at trial shall be retained by the Clerk until expiration of the time for appeal, where no appeal is taken, entry of a stipulation waiving or abandoning the right to appeal, final disposition of the appeal, or order of the Court, whichever occurs first. The Clerk shall thereafter return each such exhibit (except contraband) to the person or persons to whom it belongs. If any exhibit is not withdrawn from the Clerk's Office within thirty (30) days after the person or persons to whom it belongs are given written notice to claim it, the Clerk shall destroy the exhibit or otherwise dispose of it as the Court may approve.

29.3 CLERK'S OFFICE - REMOVAL OF CONTRABAND - Contraband of any kind coming into the possession of the Clerk shall be returned to an appropriate governmental agency. The agency shall give the Clerk the receipt retired by Local Rule 29.1.1.

29.3.1 CONTRABAND - FINAL DISPOSAL - Upon the happening of any event enumerated in Local Rule 29.2, the agency to which the contraband is returned shall destroy or otherwise dispose of the contraband as provided by law.

29.4 DOCUMENTS OR EXHIBITS PRESENTED EX PARTE - When an ex parte order is signed by the Court, the attorney presenting the application for the order shall forthwith deliver every document and exhibit tendered in support of the application to the Clerk for filing.

29.5 DISCLOSURE OF CONFIDENTIAL COURT RECORDS

29.5.1 CONFIDENTIAL COURT RECORDS - DISCLOSURE - No confidential record of the Court maintained by the Clerk shall be disclosed except upon written order of the Court.

29.5.2 PROCEDURE FOR DISCLOSURE OF CONFIDENTIAL COURT RECORDS - An application for disclosure of confidential court records shall be